

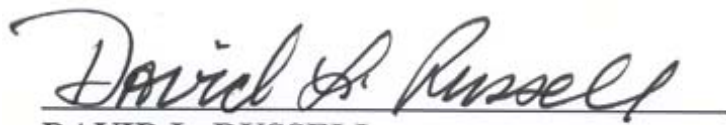
**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

<b>CARL W. NICKELSON,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-07-392-R</b>
	)	
<b>OKLAHOMA COUNTY JAIL,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Petitioner, a detainee appearing pro se has filed this action seeking a writ of habeas corpus. Pursuant to 28 U.S.C. § 636(b)(1)( B), the matter was referred to United States Magistrate Judge Bana Roberts for preliminary review. On May 11, 2007, Judge Roberts issued a Report and Recommendation wherein she recommended that the petition be dismissed, because the Petitioner had failed to respond to her prior order that he resubmit his petition on the proper form. The record reflects that Petitioner has not objected to the Report and Recommendation, sought an extension of time in which to object, nor has he re-filed his petition on the proper form. Accordingly, the Report and Recommendation is hereby ADOPTED and the petition is DISMISSED WITHOUT PREJUDICE.

**IT IS SO ORDERED** this 5<sup>th</sup> day of June 2007.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**